

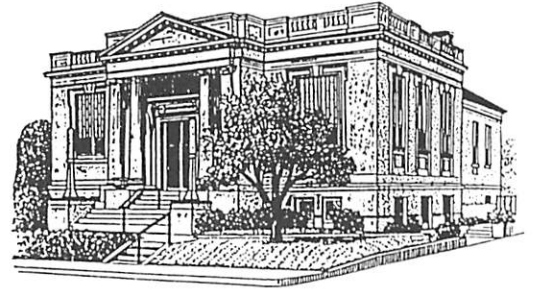
WELLS COUNTY AREA PLAN COMMISSION

WELLS CARNEGIE GOVERNMENT ANNEX

223 W. Washington St.

Bluffton, Indiana 46714-1955

Room 211 PHONE - 824-6407



July 9, 2009

WELLS COUNTY BOARD OF ZONING APPEALS MEETING

TUESDAY, JULY 28, 2009, AT 7:00 P.M.

ROOM 105 (MULTI-PURPOSE ROOM) LOWER LEVEL OF THE
GOVERNMENT ANNEX BUILDING 223 W. WASHINGTON ST., BLUFFTON, IN

AGENDA

ROLL CALL

APPROVAL OF MINUTES

CONTINUED ITEM

B09-05-04 NOTTINGHAM TWP. NW/4 32-25N-13E Darrick E. Plummer requesting variance for home occupation to allow more than one non-family member to be employed. Property is zoned A-1 at 11293 S 700 East-90.

NEW ITEMS

B09-07-10 JEFFERSON TWP., COUNTRY MEADOWS II, LOT 61 Thomas and Heather Meisch request variance approval for a shed that does not meet the required setback. Property is located at 616 Heatherwood Lane, Ossian in a R-3 zone.

B09-07-11 LANCASTER TWP., SW/4 32-27N-12E Robert Troxel on behalf of Westland Park, LLC request approval for additional signage and (2nd free standing sign) and reduction in setback. Property is located at 1955 W. Lancaster St., Bluffton and zoned I-1.

B09-07-12 JEFFERSON TWP., NE/4 21-28N-12E Harry T. and Lois A. Gerber request Special Exception approval for a residence in a B-3 zone for a U-store facility manager. Property is located at 1725 Hillcrest Dr., Ossian.

ADVISORY:

DIRECTOR COMMENTS:

ROLL CALL

Rose Ann Barrick
Jerry Petzel, President
Jim Schwarzkopf
Mark Shaffer

Mike Lautzenheiser, Jr., Director

Jerry Petzel called the Board of Zoning Appeals meeting, July 28, 2009, to order at 7:00 p.m. Four members answered roll call; Joe Langel had recently resigned from the Area Plan Commission and no longer would be eligible to serve on the BZA.

Mark Shaffer made a motion to approve the minutes from the June meeting, Jim Schwarzkopf seconded the motion and the minutes were approved by a vote of 4-0.

NEW ITEMS:

B09-07-10 JEFFERSON TWP., COUNTRY MEADOWS II, LOT 61 Thomas and Heather Meisch request variance approval for a shed that does not meet the required setback. Property is located at 616 Heatherwood Lane, Ossian in a R-3 zone.

Heather Meisch appeared to explain they had a shed installed a long time ago and didn't realize it required a permit nor that it was in violation of the easement. The violation was discovered when the neighboring properties were being investigated for shed and fence violations in the easement.

Mrs. Meisch said she is requesting the variance to allow the shed to remain where it's located on their property. A photo of the shed on the property was submitted and a letter pertaining to the contact they made with REMC regarding the utility easement.

Conditions: None

Motion to approve: Rose Ann Barrick

Second: Mark Shaffer

Vote: 4-0

B09-07-11 LANCASTER TWP., SW/4 32-27N-12E Robert Troxel on behalf of Westland Park, LLC request approval for additional signage (2nd free standing sign) and reduction in setback. Property is located at 1955 W. Lancaster St., Bluffton and zoned I-1.

Bob Troxel appeared for the petition and submitted photos to show the proposed placement of the sign and that it will not restrict the site triangle for traffic at the intersection. The sign will be 4' X 8' and would be the second sign on the property and would be inline with a previously approved sign.

The reduction in setback will still have the sign located 40+ feet in each direction from the pavement of SR 124 and the by-pass.

Conditions: None

Motion to Approve: Mark Shaffer

Second: Jim Schwarzkopf

Vote: 4-0

B09-07-12 JEFFERSON TWP., NE/4 21-28N-12E Harry T. and Lois A. Gerber request Special Exception approval for a residence in a B-3 zone for a U-store facility manager. Property is located at 1725 Hillcrest Dr., Ossian.

Mick Cupp represented Harry and Lois Gerber owners of Hillcrest U-Stores requesting approval to allow the model home on the corner of SR 1 and CR 850 N to be converted into a single family dwelling. Mr. and Mrs. Gerber had purchased the property with the intentions of having a manager for the U-Stores to live there.

Dick Witte, Ossian Town Council President said they have concerns about allowing the single family dwelling in a B-3 and setting a precedent and that the connecting commercial lots for sale in that area could be affected by a residence in a commercial/industrial park area.

LuAnn Martin, Ossian Town Manager represented the Ossian Industrial Park Association and the Ossian Development Corp. and neither group is in favor of a residence being allowed at this location.

A copy of the Hillcrest Park Covenants was brought to our attention after a phone call from real estate agent; Terry Donaghy that clearly states a residence would be a violation of the covenants.

Mick Cupp stated he would like to ask for the petition to be continued until he can discuss with the property owners the recent developments.

Conditions: Petition Continued until issues can be addressed with Hillcrest Development Group.

Motion to Continue: Rose Ann Barrick

Second: Mark Shaffer

Vote: 4-0

CONTINUED ITEM:

B09-05-04 NOTTINGHAM TWP. NW/4 32-25N-13E Darrick E. Plummer requesting variance for home occupation to allow more than one non-family member to be employed. Property is zoned A-1 at 11293 S 700 East-90.

Darrick Plummer represented the petition stating he just wants to make it official what already is taking place on the property with their farming business. They currently have 4 full-time employees and 3 part-time employees and 8-10 seasonal employees. They are in the process of

applying for a truck dealer license in order to buy trucks in the off-season and refurbish them to re-sell during the farming off-season.

At the present time there are 3 full-time and 2 part-time employees that are family members and 4 non-family member employees and the seasonal employees can be as many as 10 August through November.

Michael pointed out that the common agriculture practices do not require any approval, but that obtaining a truck dealer transfer license and buying, refurbishing and selling trucks does need approval as a home occupation.

Darrick stated there would be little change if any to the property they would possibly post a sign and in the future may need to expand the parking area.

Board member Mark Shaffer stated traffic is not an issue in this area.

Conditions: Findings of Fact will be amended to state the home occupation will allow the receipt; purchase and sale of merchandise manufactured outside of the home and up to 6 non-family members may be employed.

Motion to Approve: Jim Schwarzkopf

Second: Mark Shaffer

Vote: 4-0

DIRECTOR COMMENTS:

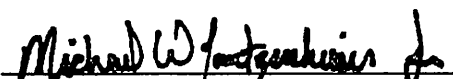
Michael discussed posting signs for the petitions heard by BZA similar to signs that are posted for the APC petitions.

ADVISORY:

Jim Schwarzkopf made a motion to adjourn the meeting; Mark Shaffer seconded the motion and the motion carried 4-0. The July 28, 2009, meeting of the Board of Zoning Appeals was adjourned at 8:00 p.m.



Jerry Petzel, President

ATTEST: 

Michael Lautzenheiser, Jr., Secretary